

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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FABICK, INC.,

Plaintiff,

v.

JFTCO, INC.,

Defendant.

ORDER

16-cv-172-wmc

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The court held a conference today before voir dire to hear further argument and rule on a number of pending issues. The purpose of this order is simply to formalize those rulings.

IT IS ORDERED that:

- 1) Plaintiff Fabick, Inc.'s objection to defendant JFTCO, Inc.'s Exhibit No. 993 is SUSTAINED, although defendant may use the letter for impeachment.
- 2) Defendant's objections to plaintiff's Exhibit Nos. 157-159 are OVERRULED.
- 3) Defendant's motion in limine no. 11 (dkt. #238) is GRANTED.
- 4) Plaintiff may present evidence of FABCO's historic sales in Wisconsin and the UP but only to illustrate the appropriate market segment, not to argue that JFTCO / John Fabick Tractor Company's sales were *de minimis* or not substantial by comparison.

Entered this 11th day of December, 2017.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge